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|                                    |   |              |
|------------------------------------|---|--------------|
| In re Application of               | : | NOTIFICATION |
| CORDEMANS DE MEULENAER et al.      | : |              |
| Application No.: 10/533,679        | : |              |
| PCT No.: PCT/US03/35029            | : |              |
| Int. Filing Date: 04 November 2003 | : |              |
| Priority Date: 04 November 2002    | : |              |
| Attorney Docket No.: ASHL001A      | : |              |
| For: DEVICE AND PROCESS FOR        | : |              |
| TREATING A LIQUID MEDIM USING      | : |              |
| ULTRASOUND IN PREVENTING THE       | : |              |
| GROWTH OF HYPERPROLIFERATIVE OR    | : |              |
| INFECTED CELLS                     | : |              |

This notification is in response to applicants' submission filed 02 April 2007, which included, *inter alia*, two declarations of inventors.

#### **BACKGROUND**

On 04 November 2003, applicant filed international application PCT/US03/35029, which designated the United States and claimed a priority date of 04 November 2002. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 21 May 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 04 May 2005.

On 03 May 2005, applicants filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 28 November 2005, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) and the surcharge under 37 CFR 1.492(h) were required.

On 31 May 2006, applicants filed a submission including a declaration of inventors and the surcharge under 37 CFR 1.492(h).

On 11 October 2006, a Notification was mailed indicating that the declaration filed 31 May 2006 did not list the inventorship set forth in the international application and that the declaration executed the wrong application number (11/533,679 rather than 10/533,679). The Notification indicated that a Form PCT/IB/306 for only one of the inventors appeared in the application file. The Notification also indicated that a new declaration of inventors was required.

On 16 November 2006, applicant filed a submission which was accompanied by, *inter alia*, a Form PCT/IB/306 for five inventors.

On 01 February 2007, a Notification was mailed indicating that the declaration filed 31 May 2006 indicated the correct inventorship but that the declaration executed application number 11/533,679 rather than application number 10/533,679.

On 27 February 2007, applicants filed a submission which included a declaration of inventors.

On 19 March 2007, a Notification was mailed indicating that the declaration filed 27 February 2007 was an improper composite declaration and that each inventor must be presented with a complete declaration which lists all of the inventors, and the signature of each inventor must appear on at least one complete declaration. The Notification also indicated that multiple complete declarations may be submitted, but it is not permissible to combine pages of separate documents.

### **DISCUSSION**

The declarations of inventors filed 02 April 2007 are in compliance with 37 CFR 1.497(a)-(b).

### **CONCLUSION**

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.



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